

In re' Patent Application of:

**FOX ET AL.**

Serial No. 09/500,269

Filing Date: 2/8/00

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**REMARKS**

Claims 1-27 remain in this application. No claims have been cancelled. No claims have been amended.

Applicants thank the Examiner for the detailed study of the application and prior art. Applicants note the rejection of all claims as unpatentable over Shostack, Smith and Yemini or as unpatentable over Shostack, Smith, Yemini and Richardson.

Applicants submit a 131 Declaration that shows that the inventors had conceived and reduced to practice the invention as claimed before November 4, 1999, the effective date of Shostack. Applicants note that Smith is directed to a fuzzy-logic-based evidence fusion tool for predicting function levels of a switch in a telecommunications network. It is directed to examining data pertaining to the geographical position of a switch and making predictions about the switch functions and performance within the telecommunications network. Nowhere is Smith directed to applying fuzzy logic to any type of security assessment or applying any type of goal oriented fuzzy logic to a network analysis for security.

As to Yemini, it is directed to correlating events and problems in complex systems based upon observable events. For example, as computer nodes in a network increase, the

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network complexity increases super-linearly with the number of nodes, thus increasing the fault rate. Yemini can use rule based event correlation, but Yemini is particularly directed to detecting problems by providing a computer-accessible code book with a matrix of values corresponding to a mapping between the symptoms and likely problems. Symptom data values are monitored and a mismatch determined between the plurality of groups of the values in the code book and symptom data values. A report is generated as one selected likely problem from the code book.

Nowhere does Yemini suggest creating any type of system object model database, exporting required data to network vulnerability analysis programs, analyzing and storing data results, and applying goal oriented fuzzy logic decision rules.

As to Richardson, it is directed to creating, modifying and deleting nodal views of a managed network environment. It uses a graphical user interface, but is not directed to assessing the security posture of a network, as in the present claimed invention.

Although Shostack has been effectively removed as a reference, Applicants note that Shostack discloses a method for accessing the security posture of a network that exports data from a system database representing the network-to-network vulnerability analysis programs. It produces data

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results and stores the data results in a common system model database, according to the Examiner. Shostack is specifically directed to updating via an electronic network the security vulnerability of a network.

Applicants note that Shostack is not directed to supporting information data requirements of disparate network vulnerability analysis programs, which can work with disparate tools as set forth in the claimed invention. Thus, even though Shostack is effectively removed as a reference, Applicants contend that Shostack is not even a proper base reference based upon the present claimed invention. Shostack only shows one module for accessing security vulnerabilities of an operating system and the database of security vulnerabilities. It is not directed to using disparate network vulnerability analysis programs.

Also, Applicants note that the Information Disclosure Statements and PTO-1449 forms were filed on February 8, 2000, October 25, 2001 and December 26, 2001. The Office Action did not include the initialed copies of the PTO-1449 forms indicating that the Examiner had considered the Information Disclosure Statements. Applicants submit with this Amendment copies of the PTO-1449 forms, the Information Disclosure Statement documents, and copies of the return postcards indicating that the Patent Office had received the

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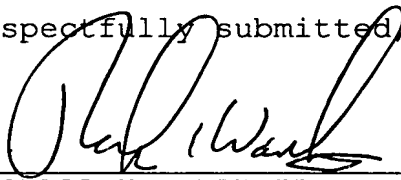
IDS's. Applicants request initialed copies for their records to complete the file.

Also, Applicants submit a new IDS with prior art located by the Examiner in the copending and related patent application serial number 09/500,108, filed on February 8, 2000, the title of which is listed in the detailed description on page 31 of the present application..

Accordingly, Applicants contend that the present case is in condition for allowance and respectfully requests that the Examiner issue a Notice of Allowance and Issue Fee Due.

If the Examiner has any questions or suggestions for placing this case in condition for allowance, the undersigned attorney would appreciate a telephone call.

Respectfully submitted,



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RICHARD K. WARTHER  
Reg. No. 32,180  
Allen, Dyer, Doppelt, Milbrath  
& Gilchrist, P.A.  
255 S. Orange Avenue, Suite 1401  
Post Office Box 3791  
Orlando, Florida 32802  
Phone: 407-841-2330